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REMARKS

In response to the Office Action mailed February 7, 2007, Applicant respectfully requests reconsideration. Claims 35-55 were previously pending in this application. Claim 35 has been amended. This application is believed to be in condition for allowance.

Rejections under 35 U.S.C. §112

The Office Action rejects Claims 35-46 under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, Claim 35 has been rejected from comprising the word "radiation" and for lacking sufficient antecedent basis for "the base film."

The inclusion of the word "radiation" in Claim 35 was a typographical error and has been removed. Claim 35 has also been amended to provide sufficient antecedent basis for "the base film." Accordingly, withdrawal of the rejection of claims 35-46 under 35 U.S.C. §112 is respectfully requested.

Rejections Under 35 U.S.C. §103

The Office Action rejects claims 35-55 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 4,576,850 to Martens (Martens) in view of Japanese published application no. 8-137375 (Japanese -375). Applicants respectfully disagree.

The Office Action has conceded that the prior art of record does not teach or suggest *simultaneous* mold patterning and patterning by using a mask (Office Action; page 2, paragraph no. 3). The applicants respectfully point out the requirements of 35 U.S.C. §103(a):

"(a) A patent may not be obtained through the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made." (emphasis added)

Since the prior art of record does not teach or suggest (as was conceded by the Office Action) the limitation of *simultaneous* mold patterning and mask patterning (a limitation comprised in all the independent claims), Claims 35-46 distinguish the prior art of record.

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Furthermore, the Office Action asserts that no declaration or affidavit is required on the Examiners part since "the references have been reasonably combined and are submitted to reasonably teach the instant invention" (Office Action; page 3, paragraph no. 3). Applicants respectfully point to the third requirement of a *prima facie* case of obviousness, "the prior art references (or references when combined) must teach or suggest all the claim limitations" (MPEP § 2143). Since the limitation of simultaneous mold patterning and mask patterning has not been found in the prior art of record (as the Office Action concedes), Applicants are left to assume that the Examiner is relying on common knowledge in the art or well known prior art. The heading of the MPEP § 2144.03(C) states:

"If Applicant Challenges a Factual Assertion as Not Properly Officially Noticed or not Properly Based Upon Common Knowledge, the Examiner Must Support the finding with Adequate Evidence."
(emphasis added)

The MPEP § 2144.03(C) further states, "If the examiner is relying on personal knowledge to support the finding of what is known in the art, the examiner must provide an affidavit or declaration setting forth specific factual statements and explanation to support the finding" (MPEP § 2144.03(C), end of the first paragraph - emphasis added).

Accordingly, withdrawal of this rejection is respectfully requested. If the rejection under 35 U.S.C. §103(a) is to be maintained, the Examiner is respectfully requested to provide documentary evidence and specifically point out as to how irradiation through a mask film and a base film in order *simultaneously* cure and pattern a liquid material, while further patterning the liquid material *in the same step* would have been obvious to one of skill in the art.

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CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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